IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78742 of 2026

CNR No. BRHC011120842026

Arising Out of PS. Case No.-78 Year-2026 Thana- DHANSOI District- Buxar

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NATHUNI KHARWAR S/O LATE JAGDEO KHARWAR R/O VILLAGE-KARMA, PS- DHANSOI, DISTRICT- BUXAR

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Bharat Bhusan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2026 Heard Mr. Arun Kumar Gupta, learned counsel for the petitioner and Mr. Bharat Bhushan for the State.

2. The petitioner is apprehending his arrest in connection with Dhansoi P.S. Case No. 78 of 2026 for the offence under sections 191(2), 190, 126(2), 115(2), 352, 351(2), 125(a), 125(b), 110, 333, 74 and 303(2) of the Bharatiya Nyaya Sanhita lodged on 04.07.2026 by the informant, Harsh Kumar.

3. As per the prosecution story, the informant alleged that accused persons armed variously came and started abusing. When his father objected to it, this petitioner gave blow to his father, Nirmal Sharma causing injury on his head. As others came to rescue, allegation is that Kausal Kumar, Birendra Kharwar, Awdhesh Kharwar, Subhas Kharwar and others also resorted to assault. This includes Shankar Kharwar and Ramashish Kharwar. The injured were shifted to Sadar Hospital,

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Buxar and the father to PMCH, Patna, for medical treatment. This followed the FIR.

4. Learned counsel for the petitioner submits that allegation of assault is on the head which has been found to be simple in nature.

5. Learned APP on the other hand has taken this Court to the injury report as also learned Session Judge's order to show that some of the injuries have been found to be grievous in nature.

6. Considering the submissions of the parties as also the allegation that has come against the petitioner and some of the injuries of Nirmal Sharma have been found to be grievous in nature, no relief can be extended.

7. The anticipatory bail application stands rejected.

8. If however, the petitioner surrenders within the period of four weeks, files bail application, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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